

CHAPTER 717.

(House Bill 278)

AN ACT to repeal and re-enact, with amendments, Sub-section (a) of Section 27 of Article 50 of the Annotated Code of Maryland (1943 Supplement), title "Joint Obligations and Joint Tenancy", sub-title "Joint Tortfeasors", relating to the time within which a defendant may move to implead third-party defendants as joint tortfeasors.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Sub-section (a) of Section 27 of Article 50 of the Annotated Code of Maryland (1943 Supplement), title "Joint Obligations and Joint Tenancy", sub-title "Joint Tortfeasors", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

27. Procedure and Practice.

(a) Before answering a defendant seeking contribution in a tort action may move ex parte or, within thirty (30) days after answering, or thereafter during the pendency of the case if in the discretion of the court good cause for the delay is shown, on notice to the plaintiff, for leave as a third-party plaintiff to serve a summons and pleading upon a person not a party to the action who is or may be liable as a joint tortfeasor to him or to the plaintiff for all or part of the plaintiff's claim against him. If the motion is granted and the summons and pleading are served, the person so served, hereinafter called the third-party defendant, shall make his defense to the claim of the plaintiff and to the third-party claim in the same manner as defenses are made by an original defendant to an original pleading. The third-party defendant may assert any defenses which the third-party plaintiff has to the plaintiff's claim. The plaintiff shall amend his pleadings to assert against the third-party defendant any claim which the plaintiff might have asserted against the third-party defendant had he been joined originally as a defendant. The third-party defendant is bound by the adjudication of the third-party plaintiff's liability to the plaintiff as well as of his own liability to the plaintiff and to the third-party plaintiff. A third-party defendant may proceed under this section against any person not a party to the action who is or may be liable as a joint tortfeasor to him or to the third-party plaintiff for all or part of the claim made in the action against the third-party defendant.